

House File 768 - Introduced

HOUSE FILE 768
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 60)

A BILL FOR

1 An Act concerning licensing of and sales by native
2 distilleries, beer manufacturers, native breweries, and
3 native wine manufacturers.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.43A, subsection 6, Code 2021, is
2 amended to read as follows:

3 6. Notwithstanding any provision of [this chapter](#) to the
4 contrary or the fact that a person is the holder of a class
5 "A" native distilled spirits license, a native distillery
6 which, combining all production facilities of the business,
7 produces and manufactures not more than one hundred thousand
8 proof gallons of native distilled spirits on an annual basis
9 may sell those native distilled spirits manufactured on the
10 premises of the native distillery for consumption on the
11 premises by applying for a class "C" native distilled spirits
12 liquor control license as provided in [section 123.30](#). A
13 native distillery may be granted not more than ~~one~~ two class
14 "C" native distilled spirits liquor control ~~license~~ licenses.
15 All native distilled spirits sold by a native distillery for
16 on-premises consumption and mixed drinks or cocktails sold
17 for consumption off the premises shall be purchased from a
18 class "E" liquor control licensee. A manufacturer of native
19 distilled spirits may be issued a class "C" native distilled
20 spirits liquor control license regardless of whether the
21 manufacturer is also a manufacturer of beer pursuant to a class
22 "A" beer permit or a manufacturer of native wine pursuant to a
23 class "A" wine permit.

24 Sec. 2. Section 123.45, subsection 3, Code 2021, is amended
25 to read as follows:

26 3. A person engaged in the wholesaling of beer or wine
27 may sell only disposable glassware, which is constructed of
28 paper, paper laminated, or plastic materials and designed
29 primarily for personal consumption on a one-time usage
30 basis, to retailers for use within the premises of licensed
31 establishments, for an amount which is greater than or equal
32 to an amount which represents the greater of either the amount
33 paid for the disposable glassware by the supplier or the amount
34 paid for the disposable glassware by the wholesaler. Also, a
35 person engaged in the business of manufacturing beer may sell

1 beer at retail for consumption on or off the premises of the
 2 manufacturing facility and, notwithstanding any other provision
 3 of [this chapter](#) or the fact that a person is the holder of a
 4 class "A" beer permit, may be granted not more than ~~one~~ two
 5 class "B" beer ~~permit~~ permits as defined in [section 123.124](#)
 6 for that purpose regardless of whether that person is also a
 7 manufacturer of native distilled spirits pursuant to a class
 8 "A" native distilled spirits license or a manufacturer of
 9 native wine pursuant to a class "A" wine permit.

10 Sec. 3. Section 123.130, subsection 2, Code 2021, is amended
 11 to read as follows:

12 2. Pursuant to [section 123.45, subsection 3](#), a native
 13 brewery may be granted not more than ~~one~~ two class "B" beer
 14 ~~permit~~ permits as defined in [section 123.124](#) for the purpose of
 15 selling beer at retail for consumption on or off the premises
 16 of the manufacturing facility.

17 Sec. 4. Section 123.176, subsection 5, Code 2021, is amended
 18 to read as follows:

19 5. Notwithstanding any other provision of [this chapter](#), a
 20 person engaged in the business of manufacturing native wine
 21 may sell native wine at retail for consumption on the premises
 22 of the ~~manufacturing facility~~ manufacturer or in a retail
 23 establishment operated by the manufacturer by applying for a
 24 class "C" native wine permit as provided in [section 123.178B](#).
 25 A manufacturer of native wine may be granted not more than
 26 ~~one~~ two class "C" native wine ~~permit~~ permits. A manufacturer
 27 of native wine may be issued a class "C" native wine permit
 28 regardless of whether the manufacturer is also a manufacturer
 29 of beer pursuant to a class "A" beer permit or a manufacturer
 30 of native distilled spirits pursuant to a class "A" native
 31 distilled spirits license.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
 34 the explanation's substance by the members of the general assembly.

35 This bill authorizes the alcoholic beverages division of the

1 department of commerce to grant up to two of each of certain
2 specified licenses or permits to a native distillery, beer
3 manufacturer, native brewery, or native wine manufacturer,
4 rather than the limit of one of each as provided under current
5 law.

6 The bill authorizes a native wine manufacturer to sell
7 native wine at retail for consumption on the premises of the
8 manufacturer or in a retail establishment operated by the
9 manufacturer. Current law allows a manufacturer to sell
10 native wine at retail for consumption on the premises of the
11 manufacturing facility.